

**COLUMBUS BOARD OF ZONING APPEALS
123 WASHINGTON STREET
COLUMBUS, INDIANA**

The regular monthly meeting of the Columbus Board of Zoning Appeals was held at 6:30 p.m. March 25, 22003 in the Council Chambers, second floor of City Hall, 123 Washington Street, Columbus, Indiana.

Members Present: Patricia Zeigler, Chair; David Fisher, Vice Chair; Karen Dugan, Mary Ferdon and Eric Frey, alternate

Staff Present: Roger Hunt, Planning Director; Thom Weintraut, Associate Planner; Marcus Hurley, Associate Planner; J. Davis Zellner, Chief Code Enforcement Officer; Sondra Bohn, Planning Department and Nancy Whipker, Dept. of Code Enforcement

Deputy City Attorney: Alan Whitted

Patricia Zeigler, Chair, called the meeting to order and gave a brief explanation about the Board and its responsibilities.

The Board and Staff introduced themselves.

Alan Whitted administered the oath to members of the audience who would be speaking about the cases being presented.

DOCKET NO. C/CU 02-13 ORINOCO PROPERTIES, INC.

Orinoco Properties, Inc. is requesting a Conditional use Permit to allow a vacant lot to be used for off-site parking. The property is located at the northwest corner of the intersection of 21st Street and Cottage Avenue, Columbus, Indiana, 47201.

John Counciller, 3932 Shoshonee Drive, Columbus, attended the meeting.

A video of the property was shown and narrated by Marcus Hurley.

Mr. Hurley gave some background on this request and reviewed the Findings of Fact, stating that Criteria had not been met on Items 4,6, 7 and 8.

A motion was made by Mary Ferdon to continue this request to the next meeting, because there were too many issues that needed to be addressed by petitioner. The motion was seconded by Dave Fisher and passed unanimously.

DOCKET NO. D/DS 03-01 STORAGE EXPRESS LLC

Storage Express LLC is requesting a Developmental Standards Variance to allow a facility used for storage not to be completely enclosed. The property in question is zoned I-1, and houses self-storage units. The property is located at 4360 State Street, Columbus, Indiana, 47201.

Ms. Zeigler read a letter from petitioner requesting a withdrawal of this Docket.

Karen Dugan made a motion, seconded by Dave Fisher to accept petitioner's withdrawal. The motion passed unanimously.

DOCKET NO. C/DS 03-02 GONZALEZ

Jeanne Gonzelez is requesting a Developmental Standards Variance to allow a fence to exceed the height requirement designated by the Columbus Zoning Ordinance. The property is located at 4011 Shoshonee Drive, Columbus, Indiana, 47203.

The petitioner was not present at the meeting.

A motion was made by Dave Fisher, seconded by Karen Dugan to continue this request to the next regular meeting. The motion passed unanimously.

DOCKET NO. C/DS 03-03 SANDY HOOK UMC

Sandy Hook United Methodist Church is requesting a Developmental Standards Variance to allow a changeable copy sign to exceed the total area of the primary signage. The property is located at 1610 Taylor Road, Columbus, Indiana, 47203.

Matthew Meek, attended the meeting.

A video of the property was shown and narrated by Mr. Hurley.

Mr. Hurley said the signs proposed dimensions are 96" x 54", a total of 36 square feet, which will stand 7.5 ft. tall.

Mr. Hurley reviewed the Findings of Fact, noting that Criterion #2 had not been met.

Mr. Meek said if lighting was an issue, they wanted to be good neighbors, and would address any problem. He said he needed some direction from the Board.

Mr. Hunt suggested removing 50% of the bulbs.

There was no public comment

A motion, made by Dave Fisher and seconded by Mary Ferdon, approved this request with the following conditions:

1. The sign lighting shall be reduced by 50%;
2. In the event of complaints, the matter shall be reviewed after a period of six (6) months.

The motion passed unanimously.

DOCKET NO. C/DS 03-04 GARY JONES SUBDIVISION

This is a request for a Developmental Standards Variance to allow the subdivision of a lot into two residential lots without a 10-acre parent tract remainder. The property is located at 8080 N 250 W, Columbus, Indiana.

The petitioner, Gary Jones and Ric Sanders of E.R. Gray & Associates attended the meeting.

A video of the property was shown and narrated by Marcus Hurley.

Mr. Hurley said the property is located in an area that is becoming denser in residential sites. He said Staff has confirmation from Eastern Bartholomew Water Corporation that water service can be made available.

Mr. Hurley reviewed the Findings of Fact stating that the criterion had not been met for 4 and 5.

Mr. Sanders said he felt the rural character of the area would not be altered because these lots would not be that small.

Mr. Jones said he wanted to split the property so that if his children wanted to build next to him, they could do so.

There was no public comment.

When asked by Mary Ferdon, Mr. Jones said he had owned the property 5 or 6 years and had no intention of moving.

Ms. Ferdon asked when the Ordinance had gone into effect that would not allow more than two residential lots to be subdivided from any parent tract over any period of time, with the parent tract remainder containing at least 10 acres for each lot subdivided.

Roger Hunt said September, 1999.

Dave Fisher made a motion to approve this request, including the Provisional Findings of Fact, with the following conditions:

- 1) Driveway access shall be placed according to the recommendations of the City and County Engineers;
- 2) No further subdivision or re-platting of the property shall be allowed under AG zoning;
- 3) Petitioner shall seek approval of the Fire Department to ensure there is no fire or safety hazard being created;
- 4) Public or semi-public water and sewer services shall be provided to each building lot;
- 5) Drainage issues shall be approved by City Engineer's office.

The motion was seconded by Mary Ferdon and passed unanimously.

DOCKET NO. C/CU 03-01 SCOTT & LORI CRAMER

This is a request for a Conditional Use Permit to allow the operation of a home-based business. The property is located at 3813 Mockingbird Drive, Columbus, Indiana, 47203.

David Fisher stated he would abstain from voting on this matter because he is a neighbor of the Cramers.

Scott Cramer attended the meeting.

A video of the property was shown and narrated by Mr. Hurley.

Mr. Hurley explained that petitioners are making this request in order to transfer FHS home videos to DVD. He said Scott and his wife, Lori would be the only employees. He said the Cramers are planning to accommodate for 5 customers per day between the hours of 9:00 a.m. and 7:00 p.m.

Mr. Cramer said he was going to try something new, while he continued to look for new employment. He said their goal was not to remain a home based business, if they are successful.

Mr. Hurley reviewed the Findings of Fact, stating that the criteria had been met except for #2.

Mr. Hurley said Staff was concerned with the impact that parking and traffic associated with commercial uses may have on residential neighborhoods. He said petitioners would be permitted to use street side parking for residential purposes and they have two spaces on the parcel to be used for the request. Mr. Hurley said the City

Engineer's office had no concerns with the affect on traffic flow or parking because of the small scales of the request.

There was no public comment.

A motion was made by Mary Ferdon to approve this request with the following conditions:

- 1) The proposed use shall be limited to 700 sq. ft. of floor coverage as requested;
- 2) There shall be no signage associated with the use;
- 3) The use will be restricted to the petitioners and no outside employees;
- 4) The petitioner shall not park or access the home from the public rights-of-way along the street or in the park, parking in the back for business purposes;
- 5) The permit should be reviewed and updated after a period of one year and growth of the business should be monitored;
- 6) It is the responsibility of the petitioner to contact the Planning Department 2 months prior to the review date.

The motion was seconded by Eric Frey and passed unanimously.

DOCKET NO. C/CU 03-02 KMART

This is a request for a Conditional Use Permit to allow temporary sales to exceed 60 days. The property is located at 2380 25th Street, Columbus, Indiana, 47201.

Kim Eckrote, Manager of Fair Oaks Mall, attended the meeting with Chris Skelton, who represented Kmart.

Mr. Hurley said petitioners are requesting to extend the time limit beyond 60 days to operate a temporary outdoor sales area beginning March 1, 2003 until September 5, 2003.

Mr. Hurley reviewed the Findings of Fact stating all criteria had been met.

There was no public comment.

A motion was made by Mary Ferdon, seconded by Karen Dugan to approve this request with the following conditions:

- 1) This use shall become effective on April 2, 2003 upon the expiraton of the Temporary Sales ZCC;
- 2) The expiration of the ZCC for proposed use will be September 5, 2003;
- 3) Removal of pallets immediately when not being used.

The motion passed unanimously.

Thom Weintraut asked for a motion to approve the Rules of Procedure as

amended and the Board requested a final draft before approval.

Patricia Zeigler, Chair

Karen Dugan, Secretary